

RESOLUTION # 10-2018

NAME: County A – Three Lakes Sanitary District Easement – Page 1 of 7

Resolution offered by the Public Works and Solid Waste Committee and Land Records Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Three Lakes Sanitary District is requesting an easement for the replacement and maintenance of sewer and water utilities across a section of County A (AKA Superior ST) from Highway 45-32/Gogebic St intersection westerly to Batogowski Rd then approximately 260' southerly, located in the Town of Three lakes and as shown on the attached sketch.

WHEREAS, the Public Works and Solid Waste Committee, having jurisdiction over such County Highway A segment, reviewed the request and recommends that the County grant an easement as described in Exhibit A-1 attached hereto; and,

WHEREAS, the Land Records Committee reviews such transaction in accordance with Chapter 18 of the County Code and hereby recommends granting such interest as it would be in the best interest of the County and the public.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Oneida County hereby approve the granting of an easement to the Three Lakes Sanitary District for the installation, repair and maintenance of sewer and water utilities as set forth in Exhibit A-1.

BE IT FURTHER RESOLVED, that the County Clerk is authorized to sign and place the county seal upon the Easement Document as shown in Exhibit A-1.

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes *[Signature]* No _____ as reviewed by the Corporation Counsel, *[Signature]*, Date: 2/13/18

Approved by the Public Works and Solid Waste Committee this 8th day of February, 2018.

Consent Agenda Item: X YES _____ NO

Offered and passage moved by:

Supervisor
[Signature]

Supervisor
[Signature]

Supervisor
[Signature]

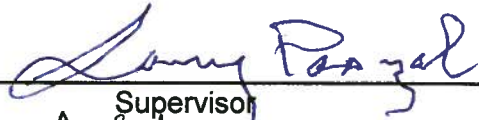
Supervisor
[Signature]

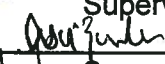
Supervisor
[Signature]

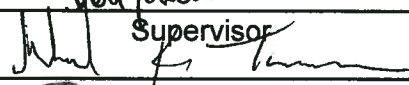
Approved by the Land Records Committee this 13th day of February, 2018.

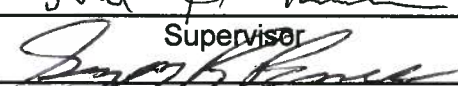
Consent Agenda Item: ☒ YES ☐ NO

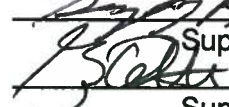
Offered and passage moved by:



Supervisor


Supervisor


Supervisor


Supervisor


Supervisor

20 Ayes

0 Nays

1 Absent

0 Abstain

☒ Adopted

by the County Board of Supervisors this 20 day February, 2018.

Defeated



Tracy Hartman, County Clerk



David Hintz, County Board Chair

See Pages 3 – 7 for Exhibit A-1 and map.

Consent Agenda Resolutions #10-2018 through #12-2018 *Passes*

Supervisors	Aye	Nay	Abs	Abstain
Paszak	X			
Jensen	X			
Timmons	X			
Metropulos	X			
Mott			X	
Cushing	X			
Holewinski	X			
Winkler	X			
VanRaalte	X			
Pederson	X			
Kelly	X			
Oettinger	X			
Young	X			
Freudenberg	X			
Fried	X			
Sorensen	X			
Zunker	X			
Pence	X			
Krolczyk	X			
Ives	X			
Hintz	X			
TOTALS	21		1	
TAGS				
Brighid Billing				
Ben Kebusiak	X			

Consent Agenda Resolutions #10-2018 through #12-2018

*Motion by VanRaalte to
approve the consent agenda.
Seconded by Cushing.*

Document No.

**THREE LAKES SANITARY DISTRICT
RIGHT OF WAY EASEMENT**

Return to:

GREGORY J. HARROLD
Harold, Scrobell & Danner, S.C.
P.O. Box 1148
Minocqua, WI 54548

Parcel Numbers

THREE LAKES SANITARY DISTRICT

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to Oneida County, hereinafter referred to as GRANTOR, by Three Lakes Sanitary District, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby quit claim and convey unto the GRANTEE, its successors and assigns, a perpetual easement to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove any and all pipes and connectors for sewer and water utilities across and through the Land of the GRANTOR situated in Oneida County, State of Wisconsin, said land being described as follows:

See attached Exhibit A for description of land subject to this Easement and Exhibit B for easement map prepared by MSA Associates depicting the easement description.

The GRANTEE agrees that it will authorize its liability insurance carrier to list Oneida County on its liability policy as an additional insured with respect to the Land.

It is further agreed that the rights granted herein are subject to the requirement that the Three Lakes Sanitary District is responsible for all costs of moving, relocating or reconstructing any of its sewer and water lines located within the County Road right-of-way at the written request of the County when the County is required to perform construction work on County Roads. It is the intent of the County that the County shall incur no costs for any such relocation of any such sewer and water lines located within a County Road right-of-way.

It is further agreed the Three Lakes Sanitary District agrees to be responsible for any and all road repairs required in the event of broken pipes, laterals, and lines which have to be repaired by the District. The repairs to the surface of the County Road Right of Way shall restore the surface to a condition equal to or better than the condition that existed at the time the Sanitary District commenced excavation and repair work.

The consideration above recited shall constitute payment in full for any damages to the land of GRANTOR by reason of the installation, operation and maintenance of the structures or improvements referred to herein.

The grant and other provisions of this Easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this ____ day
of _____, 2018

Oneida County by County Board Chairman

Attest: County Clerk

State of Wisconsin)
)ss.
County of Oneida)

Personally came before me this ____ day of _____, 2018 the above named County
Board Chairman and Clerk, to me known to be the persons who executed the foregoing
instrument and acknowledge the same.

Notary Public, State of Wisconsin
My Commission expires:_____

THIS DOCUMENT WAS DRAFTED BY:
Gregory J. Harrold
State Bar No: 1016193
HARROLD, SCROBELL & DANNER, S.C.
P.O. Box 1148
Minocqua, WI 54548
[715] 356-9591

EXHIBIT A

Located in part of the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 38 North, Range 10 East, Town of Three Lakes, Oneida County, Wisconsin.

Also located in part of the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 38 North, Range 11 East, Town of Three Lakes, Oneida County, Wisconsin.

Also that portion of the Superior Street Right-of-way as platted on Campbell's Subdivision of Block One of the Original Plat of the Village of Three Lakes Wisconsin extending northeasterly from the west line of the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 38 North, Range 11 East to the westerly Right-of-way line of the Milwaukee Lakeshore and Western Railway.

Also that portion of the Superior Street Right-of-way as platted on the Map of the Village of Three Lakes, Forest County (now Oneida County), Wisconsin extending northeasterly from the westerly Right-of-way line of the Milwaukee Lakeshore and Western Railway to the centerline of Gogebic Street (now United States Highway 45 and State Trunk Highway 32) of said plat.

More particularly described as follows:

Commencing at the intersection of the west Right-of-way line of County Trunk Highway A and the north Right-of-way line of Superior Street (aka County Trunk Highway A), said point being approximately 1,050 feet south of, and 22 feet west of the Northwest Corner of Section 7, Township 38 North, Range 11 East and the POINT OF BEGINNING of the exterior boundary of easement to be described.

Thence northeasterly along the north Right-of-way line of Superior Street (aka County Trunk Highway A), a distance of 1,175 feet more or less to the centerline of United States Highway 45 and State Trunk Highway 32; Thence leaving said north Right-of-way line, southeasterly a distance of 60 feet more or less to the south Right-of-way line of Superior Street (aka County Trunk Highway A); Thence southwesterly along said south Right-of-way line a distance of 1,130 feet more or less to the east Right-of-way line of County Trunk Highway A; Thence leaving said south Right-of-way line, south along said east Right-of-way line a distance of a distance of 260 feet more or less; Thence leaving said east Right-of-way line, west a distance of 66 feet more or less to the west Right-of-way line of County Trunk Highway A; Thence north along said west Right-of-way line 300 feet more or less to the POINT OF BEGINNING.

Said easement is located entirely within the public road Right-of-way.

EXHIBIT B

EASEMENT EXHIBIT MAP

LOCATED IN PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10 EAST, TOWN OF THREE LAKES, ONEIDA COUNTY, WISCONSIN.

ALSO LOCATED IN PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 11 EAST, TOWN OF THREE LAKES, ONEIDA COUNTY, WISCONSIN.

ALSO THAT PORTION OF THE SUPERIOR STREET RIGHT-OF-WAY AS PLATTED ON CAMPBELL'S SUBDIVISION OF BLOCK ONE OF THE ORIGINAL PLAT OF THE VILLAGE OF THREE LAKES WISCONSIN EXTENDING NORTHEASTERLY FROM THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 11 EAST TO THE WESTERLY RIGHT-OF-WAY LINE OF THE MILWAUKEE LAKESHORE AND WESTERN RAILWAY.

ALSO THAT PORTION OF THE SUPERIOR STREET RIGHT-OF-WAY AS PLATTED ON THE MAP OF THE VILLAGE OF THREE LAKES, FOREST COUNTY (NOW ONEIDA COUNTY), WISCONSIN EXTENDING NORTHEASTERLY FROM THE WESTERLY RIGHT-OF-WAY LINE OF THE MILWAUKEE LAKESHORE AND WESTERN RAILWAY TO THE CENTERLINE OF GOGEBIC STREET (NOW UNITED STATES HIGHWAY 45 AND STATE TRUNK HIGHWAY 32) OF SAID PLAT.

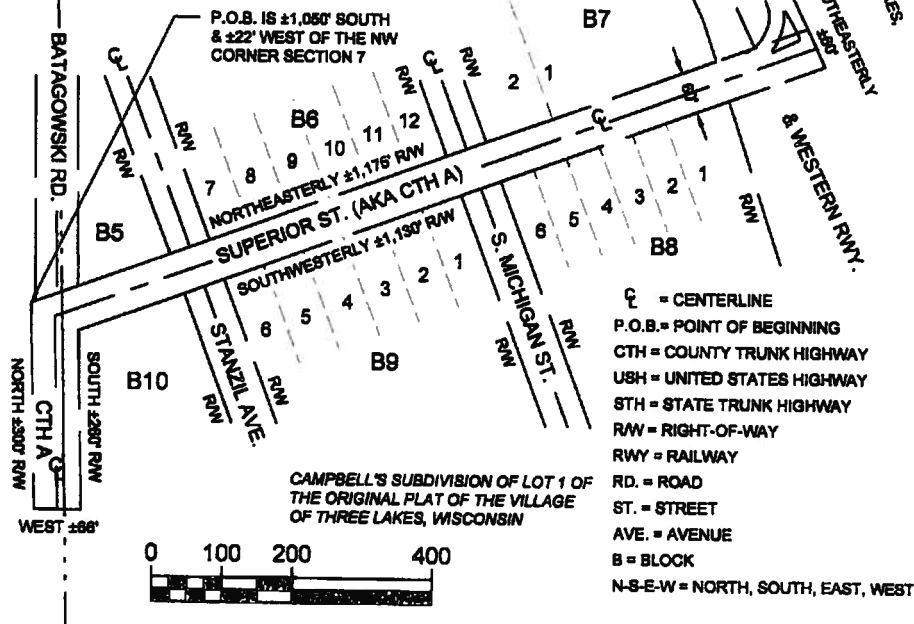
NW CORNER
SECTION 7,
T.38N., R.11E.
COMPUTED
FROM COUNTY
COORDINATES

NW 1/4 - NW 1/4 SECTION 7, T.38N., R.11E.
NE 1/4 - NE 1/4 SECTION 12, T.38N., R.10E.



CAMPBELL'S SUBDIVISION OF LOT 1 OF
THE ORIGINAL PLAT OF THE VILLAGE
OF THREE LAKES, WISCONSIN

MAP OF THE VILLAGE OF THREE LAKES,
FOREST COUNTY, WISCONSIN
USH 45-STH 32
(AKA GOGEBIC ST.)
MILWAUKEE LAKESHORE
SOUTHEASTERLY
& WESTERN R.W.



ONEIDA CTH A EASEMENT
TOWN OF THREE LAKES
THREE LAKES, WISCONSIN

EASEMENT EXHIBIT

00028018
DATE